

COLETTE THOMAS)
)
 Plaintiff,)
)
 v.) CAUSE NO.: 3:10-CV-476-TLS
)
 MICHAEL J. ASTRUE,)
 Commissioner of Social Security,)
)
 Defendant.)

This matter is before the Court on the Report and Recommendation [ECF No. 22] of United States Magistrate Judge Christopher A. Nuechterlein, which was filed on December 2, 2011. In his Report and Recommendation, Judge Nuechterlein recommends that the Commissioner's decision be affirmed because the decision of the Administrative Law Judge (ALJ) was supported by substantial evidence and because the new evidence submitted by the Plaintiff was not material to the decision as it did not relate back to the relevant time period.

A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge. The judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.

The statute permits objections to the magistrate’s report and recommendation to be made within fourteen days of service of a copy of the report. *Id.*; *see also* Fed. R. Civ. P. 72(b) (setting forth procedures for objecting to a magistrate’s report and recommendation and the district court’s resolution of any objections).

As of the date of this Order, no objection to the Report and Recommendation has been filed, and the time for making objections has now passed. Having reviewed the Report and Recommendation prepared by Judge Nuechterlein, the Court ADOPTS the Report and Recommendation [ECF No. 22] in its entirety and ACCEPTS the recommended disposition. The Commissioner's decision is AFFIRMED. The Clerk is DIRECTED to ENTER JUDGMENT in favor of the Defendant and against the Plaintiff.

SO ORDERED on February 1, 2012.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT
FORT WAYNE DIVISION